

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 SCS-06 CA-01 L-03 H-01 HA-05 SS-15

PA-01 /047 W

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R 162046Z JUN 78

FM AMEMBASSY MANAGUA
TO SECSTATE WASHDC 6881

C O N F I D E N T I A L MANAGUA 2777

E.O. 11652: GDS

TAGS: CARR, SHUM, NU

SUBJECT: CHARITON CASE

REF: MANAGUA 2724

1. IN A JUNE 15 CONVERSATION WITH SOMOZA, AMBASSADOR EXPRESSED CONTINUING CONCERN OVER THE LACK OF PROGRESS ON THE CHARITON CASE. IN ADDITION TO US PRESS INTEREST, AMBASSADOR SAID HE HAD HEARD THAT A CONGRESSIONAL CAUCUS HAD FORMED TO STUDY THE CASE. HE REITERATED THAT IT WAS TO NEITHER GOVERNMENT'S ADVANTAGE TO PROLONG THE CASE.

2. SOMOZA AGREED. HE LEFT TO PHONE HIS LAWYER, RETURNING TO SAY THAT THE LAWYER HAD SAID THAT THE MASAYA COURT WOULD DECIDE ON CHARITON'S APPEAL WITHIN TWO WEEKS. BASED ON THAT, EITHER A JURY TRIAL WOULD FOLLOW OR CHARITON WOULD BE FREED. AMBASSADOR STRESSED THE NEED FOR A QUICK SOLUTION. SOMOZA AGREED AND SAID THAT WITHIN TWO WEEKS THE DECISION OF THE MASAYA COURT WOULD BE KNOWN.

3. COMMENT: THIS MAY BE THE LONG-AWAITED INDICATION OF REAL PROGRESS. IF SOMOZA HAS INDEED BEGUN TO REALIZE THAT THE DAMAGE THIS CASE

IS DOING TO NICARAGUA'S IMAGE IS GREAT, THEN THE CASE COULD PROCEED SWIFTLY TO ITS CONCLUSION. HOWEVER, THE DEFENSE ALSO HAS THE ABILITY TO AFFECT THE PACE OF THE PROCEEDINGS. SOMOZA, IT SHOULD BE NOTED, CONFIDENTIAL

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HAS NOT YET GIVEN ANY INDICATION AS TO WHAT RESULTS HE EXPECTS FROM THE VARIOUS COURT PROCEEDINGS.

4. FOREIGN MINISTER QUINTANA, WHO HAD CALLED ON PRESIDENT SOMOZA IMMEDIATELY AFTER THE AMBASSADOR'S VISIT YESTERDAY, TOLD AMBASSADOR TODAY, JUNE 16, THAT LATTER'S DEMARCHE SEEMED TO HAVE BROKEN THE ICE WITH SOMOZA IN STIMULATING MORE RAPID PROGRESS TOWARD A SETTLEMENT

OF THE CHARITON AFFAIR. QUINTANA OPINED THAT THE MASAYA COURT WILL DISMISS THE CHARGES AGAINST CHARITON SHORTLY BUT CAUTIONED AGAINST INFORMING CHARITON OR THE LATTER'S ATTORNEY.

5. EMBASSY RECOMMENDS THAT DEPARTMENT NOT PASS QUINTANA'S COMMENTS TO CONGRESSIONAL INQUIRERS OR CHARITON'S FAMILY AND FRIENDS AS YET.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COURT PROCEEDINGS, TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MANAGU02777
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780254-0365
Format: TEL
From: MANAGUA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780651/aaaabbrq.tel
Line Count: 69
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 81d45087-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 MANAGUA 2724
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2323778
Secure: OPEN
Status: NATIVE
Subject: CHARITON CASE
TAGS: CARR, SHUM, NU, (CHARITON, ARTHUR HARRY)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/81d45087-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014